

PTO/SB/50 (04-05)
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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/608,888
Filing Date	June 27, 2003
First Named Inventor	Robert Keene
Art Unit	2524
Examiner Name	Gabriel Garcia
Attorney Docket Number	MPJ-A01

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APR 26 2005

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- b. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- c. Other _____
- d. Enclosed
- e. Amendment/Reply
- f. Affidavit(s)/Declaration(s)
- III. Information Disclosure Statement (IDS)
- IV. Other _____
2. **Miscellaneous**
- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
- b. Other _____
3. **Fees**
- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 502765. I have enclosed a duplicate copy of this sheet.
- a. RCE fee required under 37 CFR 1.17(e)
- b. Extension of time fee (37 CFR 1.136 and 1.17)
- c. Other _____
- d. Check in the amount of \$ _____ enclosed
- e. Payment by credit card (Form PTO-2058 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2058.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED		
Signature	Date	April 26, 2005
Name (Print/Type)	Robert Dutaney	Registration No. 28071

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	Date	April 26, 2005
Name (Print/Type)	Robert Dutaney	
<p>The collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to be) provided. Confidentiality is guaranteed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.</p>		

PAGE 218 *RCVD AT 4/26/2005 6:38:45 PM [Eastern Daylight Time]* SVR/USPTO-EFaxRF-1/1 *DMS/3729306 *CSID:7816760500 *DURATION (min:sec):04:30
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06/21/2005 SDIRETA1 00000059 502765 10608885

01 FC:2801 395.00 DA

Adjustment Date: 06/21/2005 SDIRETA1
05/02/2005 AHOPKINS 00000001 502765 10608885
01 FC:1801 790.00 CR

Appl. No. : 10/608885
Applicant : Robert Keane, et al
Filed : June 27, 2003
TC/A.U. : 2624
Examiner : Gabriel Garcia

Confirmation No. 7851

Docket No. MPJ-D1
Customer No. 37420

Commissioner for Patents
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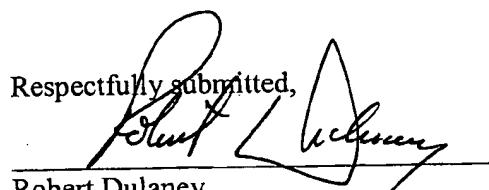
REQUEST FOR REFUND TO DEPOSIT ACCOUNT

A Request for Continued Examination was filed on April 26, 2005. A claim to Small Entity status was inadvertently omitted from the communication and the Assignee's Deposit Account 502765 was charged the full RCE fee of \$790 on May 2, 2005.

Assignee claims Small Entity status and respectfully requests a refund credit to Deposit Account 502765 in the amount of \$395. If any additional information is required, please feel free to telephone the undersigned at the number below.

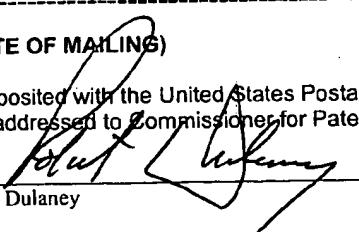
Date: May 10, 2005

Respectfully submitted,


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 10, 2005.


Robert Dulaney

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